

the District Court of the United States for said district libels for the seizure and condemnation of one case containing 20 cans, and one case containing 40 cans, of Victory Brand Pure Olive Oil, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Greek Products Importing Co., Chicago, Ill., on or about November 26, 1919, and transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: (Cans) "Contents $\frac{1}{2}$ Gallon" (or "1 Quart") "Pure Olive Oil * * * Victory Brand Greek Products Importing Co. Chicago, U. S. A.;" (case) "Victory Brand Pure Olive Oil. Imported by Greek Products Importing Co. Chicago, U. S. A. Net $\frac{1}{2}$ gal." (or "1 qt.").

Misbranding of the article was alleged in the libels for the reason that the labels upon the cases and cans containing said article bore the statement that each can contained one-half gallon, or one quart, as the case might be, of olive oil, which statement was false and misleading inasmuch as the contents of each of the cans were materially less than the stated amount, averaging, in the case of the half-gallon cans, in percentage from $3\frac{1}{2}$ per cent to $5\frac{1}{4}$ per cent short in measure and volume, and in the case of the quart cans, from 4 per cent to 7 per cent short in measure and volume; for the further reason that the statements, "Contents $\frac{1}{2}$ Gallon" and "Contents 1 Quart," deceived and misled a purchaser of said article; and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages and upon each can, in terms of volume and measure, since the amount stated was not a correct statement.

On March 16, 1920, the Greek Products Importing Co., Chicago, Ill., claimant, having admitted the material allegations in the libels, judgments were entered finding the product to be misbranded, and it was ordered by the court that the product be sold by the United States marshal, the purchaser to pay the costs of the proceedings and execute a bond for the proper relabeling of the article.

E. D. BALL, *Acting Secretary of Agriculture.*

9171. Misbranding of Redsules. U. S. * * * v. 3 Dozen Boxes of * * * Redsules * * *. Consent decree of misbranding. Product released on bond. (F. & D. No. 10328. I. S. No. 2599-r. S. No. W-350.)

On May 14, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen boxes of Redsules, remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by H. Planten & Son, Brooklyn, N. Y., on April 23, 1919, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of balsam of copaiba with a small amount of santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that there appeared upon the carton and in the circular and booklet accompanying the article, the following statements, (carton and circular) "* * * For The Treatment Of Diseases Pertaining To The Kidneys, Bladder And Urinary Organs," (booklet) "Gonorrhoea * * * Gleet * * * On the first appearance of the discharge, we suggest you take some one of our Capsules, preferably * * * Redsules. * * * Remember that even after the discharge has stopped * * * the medicine should never be suddenly stopped,

but continued for ten days to ensure thorough healing. * * * The following are a few of the many formulas of Capsules manufactured by us and prescribed by physicians in the treatment of Gonorrhœa, Gleet, Catarrh of the Bladder, Urethritis. * * * 'Redsules'—Our latest specialty * * * Some extremely stubborn cases may be assisted to a more speedy termination by taking 'Redsules,' * * * prescribed in the treatment of Gonorrhoea, Gleet, Urethritis, Catarrh of the Bladder," whereas the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, and the said statements were false and fraudulent.

On October 11, 1919, H. Planten & Son, Brooklyn, N. Y., claimant, having consented to a decree, judgment was entered declaring the product to be misbranded, and it was ordered by the court that the article be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

9172. Misbranding of olive oil. U. S. * * * v. 20 Cases, Half-Gallon Cans, and 5 Cases, Gallen Cans, of Olive Oil. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 11518. I. S. No. 2947-r. S. No. W-541.)

On or about November 21, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cases, half-gallon cans, and 5 cases, gallon cans, of olive oil, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Francisco Bertoli & Co., New York, N. Y., on September 12, 1919, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act.

It was alleged in substance in the libel that the article was misbranded, in violation of section 8, paragraph 3, of the Food and Drugs Act, in that each of the gallon cans was labeled "Net 1 Gallon," and each of the half-gallon cans was labeled "Net ½ Gallon," whereas examination showed that the gallon cans and the half-gallon cans were short 4.8 per cent.

On December 9, 1919, Antonio Puccinelli, San Francisco, Calif., claimant, having consented to a decree and having filed a bond in the sum of \$200, in conformity with section 10 of the act, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

9173. Adulteration and misbranding of double distilled water. U. S. * * * v. Eads Water Co., a Corporation. Plea of guilty. Fine, \$80 and costs. (F. & D. No. 11627. I. S. Nos. 5576-r, 5902-r, 7707-r.)

On July 7, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Eads Water Co., a corporation, Kansas City, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about July 8 and August 21, 1918, and May 16, 1919, from the State of Missouri into the State of Kansas, of quantities of double distilled water which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the presence of filthy and decomposed animal or vegetable substances.